

REMARKS

Allowable claims 9-11 are made independent, and clarification is requested for claim 6, which is rejected but also stated to be allowable under ¶ 7 of the Office Action. The other claims are argued for. A Terminal Disclaimer is submitted.

In response to the Official Action:

[1-2] Claims 1-21 were rejected for double patenting. A Terminal Disclaimer is attached to overcome this rejection.

[3-4] Claims 1-4, 7, 8, and 17-21 were rejected under § 102(b) as anticipated by *Dussault* '378. This rejection is respectfully traversed.

Virtual Fuel Consumption. The Applicants calculate the amount of fuel which would have been consumed, had the driver operation which worsens fuel economy not been performed; i.e., they calculate a virtual fuel consumption amount. This virtual fuel consumption amount can be smaller than the actual fuel consumption amount. The Applicants calculate an excess fuel amount consumed—which is due to the operation which worsens fuel economy—by subtracting this virtual fuel consumption amount from the actual fuel consumption. The calculated excess fuel consumption amount is displayed to the driver.

Due to this feature, the driver can recognize how much the fuel consumption amount can be decreased by improving his/her skill, i.e., omitting the operation which worsens fuel economy. Displaying the excess fuel consumption urges the driver to improve his/her driving skill.

Dussault. On the contrary, *Dussault* estimates the actual fuel consumption by taking into account the operations which worsen fuel economy. By taking such operations into consideration, *Dussault* aims to estimate the actual fuel consumption amount with high precision.

For example, *Dussault* takes “cruise speed” and “idle time” into consideration in the estimation. When the cruise speed is high or the idle time is long, *Dussault* increases the estimated fuel consumption amount and thus *Dussault* increases estimation precision. *Dussault* does not calculate the virtual fuel consumption amount which would have been consumed if the high cruise speed or long idle time were not performed. Therefore, *Dussault* cannot calculate the excess fuel consumption amount, which is the difference between the actual fuel consumption amount and the virtual consumption amount. Because the excess fuel consumption is not calculated and therefore cannot be displayed, the driver cannot recognize how much the fuel consumption amount can be decreased by improving his/her driving skill, i.e., by omitting the operation which worsens fuel economy. *Dussault* does not meet the Applicants' object as set out in ¶ [0006] of the Applicants' application.

[5-6] Claims 5, 6 and 16 were rejected under § 103(a) as unpatentable over *Dussault* in view of *Strifler* '404. This rejection is respectfully traversed on the grounds set out above. (As noted above, claim 6 is rejected but is also stated to be allowable under ¶ 7 of the Office Action. Because of the uncertain status, the Applicant argues for claim 6 below.)

[7] Claims 6 and 9-15 were deemed to include allowable subject matter. Claims 9-15 are made independent, and claim 6 is argued for (above) pending clarification of the rejection.

Allowance is respectfully requested.

Respectfully submitted,

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Date



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